

July 13, 2017

Hello,

I am writing to express my grave distaste, dismay, and alarm that that Chairmain Pai is attempting to overturn the FCC's 2015 determination that broadband ISPs are "telecommunications services" subject to greater oversight under Title II. Open Internet Rules (net neutrality rules) are extremely important to me, and I urge you to protect them.

While ISPs are capable of providing additional services like email, cloud storage, and other proprietary services, for many consumers, they exist first and foremost to provide an access point to the Internet. That is the key feature that I expect from my ISP provider—a reliable infrastructure service that allows me to connect to other email providers, data storage providers, content hosts, and streaming services of *my choosing*. I have used AT&T and Verizon in the past, but primarily so that I could access the services of *other* providers over the years (from email providers like Gmail, Hotmail, and Outlook, to data storage providers like WeTransfer, GoDaddy, or Dropbox, to streaming services like Netflix, Youtube, and HBO).

I did not sign a contract with an ISP with the expectation that these services would be provided directly by the ISP (which is not to say that it's not possible—Comcast, for instance, does offer the option to create an email address, and Verizon's phone service packages include a plethora of proprietary apps and bloatware, but that is *not* the main draw that drives people to sign a contract with either of these companies). And that part is important, because if I were to be penalized (whether through slowdowns, data throttling, or usage fees) for accessing a service that my ISP provider did not own or profit from, that would fundamentally alter and essentially result in censorship of my user experience.

Under Chairman Pai's plan, ISPs could throttle my streaming and upload/download experiences and prevent access to various sites at their discretion, which could constitute an invasion of privacy if they are monitoring what I do online in an effort to exploit and profit from restrictions on my activities. They will conceivably be able to make it more difficult to access political speech that they don't like. And they'll be able to charge fees for website delivery that would make it harder for blogs, nonprofits, artists, and others who can't pay up to have their voices heard.

Courts have made clear that if the FCC ends Title II classification, the FCC must allow ISPs to offer "fast lanes" to websites for a fee. ISPs should *not* have the power to block websites, slow them down, give some sites an advantage over others, or split the Internet into "fast lanes" for companies that pay and "slow lanes" for the rest—because they certainly have a history of attempting to do so in the past.

Comcast has throttled Netflix, AT&T blocked FaceTime, Time Warner Cable throttled the popular game League of Legends, and Verizon admitted it will introduce fast lanes for sites that pay-and slow lanes for everyone else-if the FCC lifts the rules. During oral arguments in Verizon v. FCC in 2013, judges asked whether Verizon would [favor some preferred services, content or sites](#) over others if the court overruled the agency's existing open internet rules. Verizon counsel Helgi Walker reiterated *multiple* times throughout argument proceedings that: "I'm authorized to state from my client today that but for these rules we would be exploring those types of arrangements." And from 2011–2013, AT&T, Sprint and Verizon [blocked Google Wallet](#), a mobile-payment system that competed with a similar service called Isis, which all three companies had a stake in developing.

Fortunately, they didn't succeed—because I do use Google Wallet today, and in part *because I enjoy having an alternative choice* to similar services like Venmo. Because *having choices*—real choices—makes for a more robust environment. And great things can come from competition (the real kind, rather than the artificially-induced scarcity that ISPs will effectively be waging if they are given free rein to charge for all manner of access to the web). This is why it is imperative that Broadband ISPs are subject to oversight by an expert agency like the FCC, so that the market does not fall victim to monopoly by a few industry heavyweights.

As former FCC official Gigi Sohn [has noted](#), "if the FCC is left without authority over broadband ISPs, Comcast could double its prices overnight, and there wouldn't be anything the FCC or any other agency could do about it." Internet providers will be able to impose a private tax on every sector of the American economy. This hurts consumers and businesses large and small. If some companies can pay our ISPs to have their content load faster, startups and small businesses that can't pay those fees won't be able to compete. You will kill the open marketplace that has enabled millions of small businesses and created the most valuable companies in America—just to further enrich a few much less valuable cable giants famous for sky-high prices and abysmal customer service.

I live with housemates, where everything is a shared utility—food, water, light, heating, shelter—and internet. After paying \$72 per month for AT&T (and terrible customer service to boot!), we recently switched over to a local provider, Sonic. The internet speed is in the same ballpark, but they are significantly cheaper (around \$40 a month), and they actually provide decent customer service. I feel lucky, living in an area where we actually have alternatives when it comes to choosing a service provider; other parts of the country are not nearly as fortunate. According to an April 2017 FCC [report](#), 58% of Americans have access to either zero or one broadband ISP, and 87% have access to just two. And not everyone has the option to work from home, or take a day off to deal with installation issues or hours of waiting on hold to talk to a customer service representative.

Our favorite reason for switching to Sonic, though, is their ethos: both what they represent in terms of choice and free market options, and the fact they are a vocal advocate for net neutrality—and they should be. It's what makes it possible for them to exist in the first place, and remain competitive against giants like AT&T and Comcast, who dominate the market landscape and are attempting to stifle competition.

I would like to leave you with some personal perspective here, for additional context of who I am, and where I am coming from.

I am almost as old as the World Wide Web; a child of the Internet Age, I grew up as the Soviet Union fell apart and the first web browsers and websites began to emerge. I still remember playing early desktop PC games like The Oregon Trail, right around the time that my elementary school got its first computer lab. It was nothing fancy, just a portable classroom full of Dells that would be considered ancient by today's standards. But at the time, it felt like a curious place, where we learned how to type out sentences in Microsoft Word, perform basic search functions in Netscape, and insert floppy disks—things that were definitely not as fun as Oregon Trail, and therefore held no discernible purpose to my single-digit mind. I can clearly remember deciding then and there that I would have no real need for computers when I grew up; it just seemed like an intangible pursuit, one that did not interest me in the slightest.

But that was before computers became an intrinsic part of our lives in ways that we couldn't begin to imagine. Hardware capacity and the shape of the web continued to evolve at a dizzying pace, and shaped so much of how we would come to understand the world around us. We soon found ourselves assembling and swimming in vast repositories of collective knowledge, from Wikipedia to fandom sites like Pottermore; an ocean of ideas, images, and sound, where culture swirled, ebbed, and flowed into all manner of videos, mp3s, livestreams, articles, animation, games, memes and more. Where we could imagine a broad scale of new possibilities: Webcomics. Livejournal posts. Social movements. Activism. Petitions. Words writ large, like Change, and Hope (and tweets and hashtags, too).

The ability to freely create, distribute, and discover content is the paradigm that has come to define us. It is my generation's equivalent of the penny press—for good, for ill, for all.

Most importantly, the Internet is where we can meet up to talk with friends and people from around the world, and from all walks of life, giving voice to experiences both familiar and unknown. And that is what we need so desperately today, the chance to freely interact with different perspectives. There is a lot of bubbling and self-seclusion that occurs in online spaces, but it is still possible to seek out and form communities that help cultivate our innate need as human beings to explore, to grow, to belong. It's why I've fallen in love with sites like Reddit over the years, where I am continually reminded of how humbling it is to coexist amidst the billions of unique voices that have come to be, and what we are capable of when we come together. To put a price on the quality of that framework and distort it into a pay-to-play affair would be to reduce it into a farce of its former self, a classist tool of censorship and oppression.

But that is not the Internet I grew up with, and not the world I know. The fiber-optic cables that bind us are woven deep into the skin and soul of a social fabric that is not easy to replace. Like the air, the earth, the water, access to this resource is a right that must be protected and defended, at all costs.

I'm sending this to the FCC's open proceeding, but I worry that Chairman Pai, a former Verizon lawyer, has made his plans and will ignore me and millions of other Americans.

So I'm also sending this to my members of Congress. Please publicly support the FCC's existing net neutrality rules based on Title II, and denounce Chairman Pai's plans. Do whatever you can to dissuade him, and ensure that Broadband ISPs remain subject to FCC oversight.

Thank you for your time and efforts in this matter.

Sincerely,

Kathleen Miller